



General Assembly

February Session, 2016

***Raised Bill No. 5327***

LCO No. 1414

\* \_\_\_\_\_HB05327APP\_\_\_\_040716\_\_\_\_\_\*

Referred to Committee on GENERAL LAW

Introduced by:  
(GL)

***AN ACT REQUIRING CERTAIN RESIDENTIAL RESTORATION  
SERVICE PROVIDERS TO REGISTER AS HOME IMPROVEMENT  
CONTRACTORS.***

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Section 20-419 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective January 1, 2017*):

3 As used in this chapter, unless the context otherwise requires:

4 (1) "Certificate" means a certificate of registration issued under  
5 section 20-422.

6 (2) "Commissioner" means the Commissioner of Consumer  
7 Protection or any person designated by the commissioner to  
8 administer and enforce this chapter.

9 (3) "Contractor" means any person who owns and operates a home  
10 improvement business or who undertakes, offers to undertake or  
11 agrees to perform any home improvement. "Contractor" does not  
12 include a person for whom the total price of all of his home  
13 improvement contracts with all of his customers does not exceed one

14 thousand dollars during any period of twelve consecutive months.

15 (4) "Home improvement" includes, but is not limited to, the repair,  
 16 replacement, remodeling, alteration, conversion, modernization,  
 17 improvement, rehabilitation or sandblasting of, or addition to any land  
 18 or building or that portion thereof which is used or designed to be  
 19 used as a private residence, dwelling place or residential rental  
 20 property, or the construction, replacement, installation or  
 21 improvement of driveways, swimming pools, porches, garages, roofs,  
 22 siding, insulation, sunrooms, flooring, patios, landscaping, fences,  
 23 doors and windows, [and] waterproofing, water, fire or storm  
 24 restoration or mold remediation in connection with such land or  
 25 building or that portion thereof which is used or designed to be used  
 26 as a private residence, dwelling place or residential rental property or  
 27 the removal or replacement of a residential underground heating oil  
 28 storage tank system, in which the total price for all work agreed upon  
 29 between the contractor and owner or proposed or offered by the  
 30 contractor exceeds two hundred dollars. "Home improvement" does  
 31 not include: (A) The construction of a new home; (B) the sale of goods  
 32 by a seller who neither arranges to perform nor performs, directly or  
 33 indirectly, any work or labor in connection with the installation or  
 34 application of the goods or materials; (C) the sale of goods or services  
 35 furnished for commercial or business use or for resale, provided  
 36 commercial or business use does not include use as residential rental  
 37 property; (D) the sale of appliances, such as stoves, refrigerators,  
 38 freezers, room air conditioners and others which are designed for and  
 39 are easily removable from the premises without material alteration  
 40 thereof; and (E) any work performed without compensation by the  
 41 owner on his own private residence or residential rental property.

42 (5) "Home improvement contract" means an agreement between a  
 43 contractor and an owner for the performance of a home improvement.

44 (6) "Owner" means a person who owns or resides in a private  
 45 residence and includes any agent thereof, including, but not limited to,  
 46 a condominium association. An owner of a private residence shall not

47 be required to reside in such residence to be deemed an owner under  
48 this subdivision.

49 (7) "Person" means an individual, partnership, limited liability  
50 company or corporation.

51 (8) "Private residence" means a single family dwelling, a multifamily  
52 dwelling consisting of not more than six units, or a unit, common  
53 element or limited common element in a condominium, as defined in  
54 section 47-68a, or in a common interest community, as defined in  
55 section 47-202, or any number of condominium units for which a  
56 condominium association acts as an agent for such unit owners.

57 (9) "Salesman" means any individual who (A) negotiates or offers to  
58 negotiate a home improvement contract with an owner or (B) solicits  
59 or otherwise endeavors to procure by any means whatsoever, directly  
60 or indirectly, a home improvement contract from an owner on behalf  
61 of a contractor.

62 (10) "Residential rental property" means a single family dwelling, a  
63 multifamily dwelling consisting of not more than six units, or a unit,  
64 common element or limited common element in a condominium, as  
65 defined in section 47-68a, or in a common interest community, as  
66 defined in section 47-202, which is not owner-occupied.

67 (11) "Residential underground heating oil storage tank system"  
68 means an underground storage tank system used with or without  
69 ancillary components in connection with real property composed of  
70 four or less residential units.

71 (12) "Underground storage tank system" means an underground  
72 tank or combination of tanks, with any underground pipes or ancillary  
73 equipment or containment systems connected to such tank or tanks,  
74 used to contain an accumulation of petroleum, which volume is ten  
75 per cent or more beneath the surface of the ground.

This act shall take effect as follows and shall amend the following sections:
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Section 1	<i>January 1, 2017</i>	20-419
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***GL***      *Joint Favorable*

***APP***      *Joint Favorable*